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April 24, 2020

**VIA ECF**

The Honorable Judge Phillip Halpern  
United States District Judge  
Daniel Patrick Moynihan  
United State Courthouse  
500 Pearl Street  
New York, New York 10007-1312

Re: *TAL Properties of Pomona, LLC, et al v. Village of Pomona, et al.*, No. 19-cv-06838 (PMH)

Our File No.: 00295.12564

Dear Judge Halpern:

We represent defendants, the Village of Pomona, Brett Yagel, Doris Ulman, and Louis Zummo in this action. We write to request a two-week extension of time to respond to Plaintiffs' Amended Complaint, which would move the deadline from April 27, 2020 to May 11, 2020. Plaintiffs consent to this extension and we have attached a proposed stipulation and order signed by the parties.

Defendants Village of Pomona, Brett Yagel, and Doris Ulman previously filed a motion to dismiss Plaintiffs' first complaint. In response to that motion, Plaintiffs sought to amend the complaint. On March 24, 2020, this Court granted Plaintiffs a third extension of time to file an amended complaint, setting the deadline for the amended complaint to March 27, 2020. The March 24, 2020 Order set April 27, 2020 as the deadline for defendants Village of Pomona, Yagel, and Ulman to send plaintiff a pre-motion letter regarding the Amended Complaint in accordance with Rule 4(C) of this Court's Individual Practices.

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The Plaintiffs' Amended Complaint names seven additional defendants and added five causes of action. As noted in Plaintiff's April 17, 2020 letter to the Court, a number of the newly-named defendants have not been served yet, and the scheduling of a pre-motion conference on a motion to dismiss would be pre-mature. Wilson Elser may be retained to represent some of the newly-named defendants.

Accordingly, Wilson Elser seeks an additional two weeks to review the new claims and parties identified in the Amended Complaint and to send Plaintiffs a pre-motion letter pursuant to this Court's individual rules. Thank you for your consideration.

Respectfully submitted,

Wilson Elser Moskowitz Edelman & Dicker LLP

/s/ Eliza M. Scheibel

Application granted. The Clerk is instructed to terminate ECF No. 63.

Dated: New York, NY  
April 27, 2020

**SO ORDERED.**

  
Philip M. Halpern, U.S.D.J.